

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA) No. 21-cr-10172-NMG
)
)
v.)
)
JAMES KENNETH COUTURE,)
Defendant.)

JOINT STATUS REPORT AND REQUEST TO CONTINUE STATUS CONFERENCE

The United States of America and the defendant through undersigned counsel, respectfully submit this status report and move this Court to grant a continuance of the time within which the trial of the charged offenses must commence.

On July 22, 2021, the grand jury returned an Indictment in this matter. The Defendant was arraigned on July 23, 2021. This Court has excluded the time from the arraignment until the status conference on January 18, 2022.

The United States has produced a substantial amount of discovery to the defense, including additional discovery this week of a phone image and data. Counsel for the Defendant been reviewing the materials but seeks an additional 60 days to review and consider the discovery in this case.

The parties have also been in consultation, and the government has provided information to counsel for the defendant, regarding further investigative developments in the case that may lead to additional discovery. In light of these developments, counsel for the defendant believes that he will need additional time to consult with the defendant and to confer with the government.

EXCLUSION OF TIME UNDER THE SPEEDY TRIAL ACT

The parties jointly request that the status conference scheduled for January 18, 2022 be continued for approximately 60 days, but also agree that the time period until the next status conference constitutes “the reasonable time necessary for effective preparation, taking into account the exercise of due diligence,” and that the ends of justice served by granting the requested continuance outweigh the

best interests of the public and the defendant in a speedy trial pursuant to the Speedy Trial Act, Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(iv) and Sections 5(b)(7)(A), 5(b)(7)(B) and 5(b)(7)(C)(iv) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts. The parties request that the Court exclude the time period from January 18, 2022 (the date of the scheduled status conference) through the date of the next status conference, from the speedy trial clock, pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(iv) and Sections 5(b)(7)(A), 5(b)(7)(B) and 5(b)(7)(C)(iv) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts (effective December 2008), on the ground that the ends of justice served by granting the requested continuance and excluding these periods outweigh the best interests of the public and the defendant in a speedy trial.

Respectfully submitted,

JAMES KENNETH COUTURE
By his attorney,

s/Brad Bailey
BRAD BAILEY, ESQ.

RACHAEL S. ROLLINS
United States Attorney

By: s/Kriss Basil
KRISS BASIL
Assistant U.S. Attorney

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

By: s/Kriss Basil
Kriss Basil
Assistant U.S. Attorney

Dated: January 11, 2022